



United States Attorney  
Southern District of New York

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86 Chambers Street  
New York, New York 10007

May 28, 2025

**BY ECF**

The Honorable Edgardo Ramos  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

*Re: New York Times Co., et al. v. U.S. Department of Justice, National Security Division, et al., No. 24 Civ. 5982 (ER)*

Dear Judge Ramos:

This Office represents Defendants U.S. Department of Justice, National Security Division (“NSD”), Federal Bureau of Investigation (“FBI”), National Security Agency (“NSA”), and Office of the Director of National Intelligence (“ODNI”) (the “Government”) in the above-referenced case. I write on behalf of all parties pursuant to the Court’s order at the initial conference held on November 12, 2024, that the parties submit joint status reports every 45 days.<sup>1</sup>

As explained in the parties’ prior status reports, Dkt. Nos. 26 & 27, two of the four defendant agencies have completed their response to Plaintiffs’ requests. Specifically, ODNI performed a search that did not reveal any responsive records, and NSA performed a search and provided the responsive documents that were identified to Plaintiffs on August 21, 2024. (Plaintiffs reserve the right to challenge the adequacy of ODNI’s search and the redactions in records produced by NSA.) The Government previously reported that it believed the FBI’s response was also complete, because it had performed a search that did not reveal any responsive records. However, the FBI subsequently conducted an additional search and located some potentially responsive records. The FBI is reviewing those records to determine whether they are in fact responsive.

The remaining defendant, NSD, conducted a search and identified approximately thirteen records, including classified records, that appear responsive. As noted in prior status reports, because those records contain information in which other federal organizations may have equities, NSD consulted with those organizations regarding the records. While some organizations have recently completed and returned the consultations to NSD, NSD is still

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<sup>1</sup> Counsel for the Government requests that the Court accept this status report, which was due yesterday, *nunc pro tunc*. Counsel for the Government intended to file it yesterday and failing to do so was an oversight.

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awaiting the return of one consultation. NSD continues to process the records that have been returned and anticipates it will be able to provide an interim response within two weeks of this status report.

The parties will submit their next status report in 45 days—by July 11, 2025.

Respectfully submitted,

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cc: All counsel of record (via ECF)